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Attorneys for Plaintiff
ALOHA MEDICINALS, INC.

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

ALOHA MEDICINALS, INC.,

Plaintiff,

vs.

POLAR SERVICE COMPANY, INC.,

Defendant.

Case No. C 05-02188 RS

**STIPULATION AND
~~PROPOSED~~ ORDER
EXTENDING CERTAIN
DEADLINES IN ORDER TO
COMPLETE MEDIATION**

**Complaint Filed: May 2005
Trial Date: June 26, 2006
Judge: Hon. Richard
Seeborg**

RECITALS

WHEREAS the Court, in the Case Management Scheduling Order dated September 28, 2005, originally ordered that the parties complete the private mediation to which they stipulated by January 25, 2006;

WHEREAS on January 24, 2006, Plaintiff ALOHA MEDICINALS, INC. ("Plaintiff") and Defendant POLAR SERVICE COMPANY, INC. ("Defendant") submitted a stipulation and a proposed order (later executed by the Court on January 25, 2006) extending the deadline to conduct the mediation to March 24, 2006;

WHEREAS because of subsequently discovered scheduling conflicts

1 between the chosen mediator and counsel, the parties now wish to extend the
2 mediation deadline for an additional two weeks to allow the mediation to be
3 conducted within the time limitations ordered by the Court; and

4 WHEREAS the parties also wish to request that the Court extend the
5 deadlines for disclosure of expert testimony and reports and completion of expert
6 discovery to allow the parties an opportunity to mediate (and hopefully resolve) the
7 case before incurring the fees and expenses necessary for preparing the expert
8 disclosures,

9 **STIPULATION**

10 WHEREFORE, the parties hereby stipulate, by and through their respective
11 counsel of record herein, that the Court be respectfully requested to:

- 12 1) Extend the deadline for completion of the mediation in this case until
13 April 7, 2006;
- 14 2) Extend the deadline for plaintiff's disclosure of expert testimony and
15 reports until April 21, 2006;
- 16 3) Extend the deadline for defendant's disclosure of expert testimony
17 and reports until May 5, 2006; and
- 18 4) Extend the deadline for completion of expert discovery until May 19,
19 2006.

20
21 DATED: February 14, 2006 BANNING MICKLOW BULL & LOPEZ LLP

22
23 By _____ /s/ Kurt Micklow

24 Eugene A. Brodsky
25 Kurt Micklow

26 Attorneys for Plaintiff
27 ALOHA MEDICINALS, INC.
28

1 DATED: February 14, 2006

MCNAMARA, DODGE, NEY, BEATTY,
SLATTERY, PFALZER & BORGES LLP

2
3 By /s/ Wilma Gray

4 Thomas G. Beatty
5 Wilma J. Gray

6 Attorneys for Defendant
7 POLAR SERVICES COMPANY, INC.

8 ORDER

9 IT IS SO ORDERED.

10
11 Dated: 2/14/06

12 
Honorable Richard Seeberg
United States Magistrate Judge